

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

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4 LORI SOETE,

5 Plaintiff,

6 v.

7 SOCIAL SECURITY ADMINISTRATION,

8 Defendant.

Case No. 2:13-cv-0439-APG-NJK

9 **Order Accepting Report and
Recommendation and Dismissing Case**

10 (Dkt. ## 21, 29, 43)

11 On May 6, 2015, Magistrate Judge Koppe entered her Report and Recommendation (Dkt. #43) recommending that Plaintiff's Motion for Reversal and/or Remand (Dkt. #21) be denied and that Defendant's Cross-Motion to Affirm (Dkt. ##29) be granted. Pursuant to Local Rule IB 3-2, any objection to Judge Koppe's Report and Recommendation had to be filed in writing with the Clerk of the Court within fourteen (14) days. No objection was filed. The Supreme Court of the United States has held that courts may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that failure to file objections within the specified time, and failure to properly address and brief the objectionable issues, waives the right to appeal the district court's order and to appeal factual issues from the order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

12 There being no objection to Judge Koppe's Report and Recommendation,

13 IT IS HEREBY ORDERED that Judge Koppe's Report and Recommendation (**Dkt. #43**)
14 **is accepted**, Plaintiff's Motion for Reversal and/or Remand (**Dkt. #21**) is **DENIED**, Defendant's
15 Cross-Motion to Affirm (**Dkt. 29**) is **GRANTED**, the Administrative Law Judge's decision is
16 affirmed, and this case is **DISMISSED**. The clerk of the court shall enter Judgment accordingly.

17 Dated: September 16, 2015.



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ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE